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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/766,563	BOISJOLIE ET AL.
	Examiner	Art Unit	
	Thanh-Ha Dang	2163	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _29 May 2007_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-9_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-9_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _26 January 2004_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1. Claims 1-9 are rejected in this Office Action

2. This Action is made Final.

Response to Amendment

3. Receipt of Applicant's amendment filed 05/29/07 is acknowledged.

4. Applicant's amendment submitted on 05/29/07 overcomes the Claim Rejections-35USC101 and 35USC112 (2nd Paragraph) that was given in the Office Action dated 01/24/07. Examiner hereby withdraws the claim rejections.

Claim Objections

5. Claims 1, 2, 3, 5 and 9 are objected to because of the following informalities:

- Claim 1 recites "and" at the end of g) is not needed;

- Claim 2 recites "and" at the end of g) is not needed;

- Claim 3 recites "and" at the end of g) is not needed;

- Claim 5 recites "and" at the end of j) is not needed;

- Claim 9 recites "and" at the end of i) is not needed.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-6 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,519,571 issued to Guheen et al. ("Guheen"), and further in view of US Patent No. 5,911,043 issued to Duffy et al. ("Duffy").

As to **Claim 1**, *Guheen teaches* a method of monitoring the appropriateness of digital content received at a monitored computer under the control of a monitored user, comprising:

(a) providing a client application which is formed from data processing

executable instructions, which is resident on said monitored computer *(see*

Figure 4, all features, wherein operation, i.e. diagram 34 displays a pictorial

representation of a system including a plurality of components, then the

components of the system are indicia coded in order to indicate required

components for the implementation of the system, wherein operation, i.e.

diagram 35, an example of such indicia coding is shown illustrated in Figure

24, wherein as shown, components of the web architecture framework

without indicia coding indicate that such components are not required for

implementation of technology using the web architecture framework, in

contrast, components of the web architecture framework with indicia coding

represent components which are required for implementation of the

technology, Guheen);   .

(b) providing in said client application a blacklist database of inappropriate words

which associates a rating for each inappropriate word in said blacklist

database *(columns 177-178, lines 57-67 and lines1-13, wherein operation*

1608, the selected items are preferably stored in a database unique to the

user, wherein the set of items selected during each shopping session should

be stored in a separate listing or file so that the user can individually select

particular sets of items and optionally, the user may be allowed to name each

stored set of items for easier identification later and the user may also be

permitted to rate or rank the items of a selected set for purposes of refreshing

the user's memory when the user later retrieves the set, Guheen);

(c) providing in said client application a search module formed of data

processing executable instructions which receives text as an input, and which

compares said text to said blacklist database in order to generate an

appropriateness rating for said text *(column 180, lines 18-51 and columns*

180-181, lines 65-67 and lines 1-13, Guheen);

(d) providing in said client application a capture module formed of data

processing executable instructions which captures at least all incoming text

(column 209, lines 11-16, wherein all incoming messages are logged,

tracked, sorted based on text patterns, and routed to the appropriate

destination, and wherein all or selected messages may be stored to build a

customer interaction history, Guheen);

(e) utilizing said capture module to capture in real time said incoming text as said

monitored user accesses said digital content *(column 25, wherein Client3*

Instant Product 1 is defined, a software application that provides online

chatting capabilities, which is equivalent to "capture in real time incoming

text", directory services for user profiles, and personalized news, wherein a

software application installed on end users machine to obtain access to

Business3's private network, which is equivalent to "monitored user accesses

said digital content"; column 208, lines 32-51, wherein chat capabilities in real

time is defined, and wherein chat rooms could be dynamically created which

could restrict access to known users or could permit open public access,

moderated chat sessions would also be allowed, and optionally the chat

capabilities could permit posting, which is also interpreted to be equivalent to

"monitored user accesses" and retrieving of public and private messages

such as electronic bulletin board, which is also interpreted to be equivalent to

"digital content");

(f) automatically passing said digital content from said capture module to said

search module in real time as said monitored user accesses said digital

content *(Figure 40, wherein capturing, searching, and monitoring is going on*

at the same time and column 69, lines 42-60, wherein capture and share

information across a project through the use of common access, structured

databases - wherein this is equivalent to sharing and capturing digital content

and Figure 84, wherein allowing a user to review educational program

offerings is equivalent to monitored user accesses said digital content,

Guheen);

(g) utilizing said search module and said blacklist database in order to examine

all textual components of said digital content on a word-by-word basis

(column 208, lines 1-15, wherein content subscriptions allows users to

subscribe and unsubscribe for different services and allows subscribers to set

up content preferences (e.g. topics), which is interpreted to be equivalent to a

"blacklist database", and allows users to subscribe third parties for services

and the content channels component of the present invention allows users to

subscribe and unsubscribe to different services such as, for example, newsletters, travel clubs, and the like and users would also be allowed to limit the content of the materials received to their particular preference, wherein for example, a user would select several topics from a list of topics and would later receive information on the selected topics and optionally, the invention could permit a user to subscribe third parties to selected services, which is interpreted to be equivalent to "utilizing the search module and the blacklist database in order to examine all textual components of the digital content on a word-by-word basis") and to develop an overall appropriateness rating for each individual piece of digital content in real time as said monitored user accesses said digital content (Figure 78, all features, wherein its further defined in column 208, wherein 23-31, wherein the content channels component of the present invention would also include a component for displaying static answers to popular question, and wherein the questions and answers could dynamically generated from a knowledge base, and optionally the questions and answers could be ranked in order from the most to the least viewed or vice versa or could be organized by topic, wherein the search engine could select relevant questions based on a users input criteria, which is interpreted to be equivalent to "develop an overall appropriateness rating for each individual piece of digital content in real time as the monitored user accesses said digital content"); and

(h) utilizing said client application for recording and reporting said overall appropriateness rating in a predetermined manner *(column 208, lines 60-67, respectively, and column 209, lines 6-16, respectively, Guheen)*; and

(i) wherein recording said overall appropriateness rating comprises storing said overall appropriateness rating in memory of the monitored computer *(Figure 51, column 26, lines 63-67, Guheen)*.

Guheen does not explicitly teach wherein said inappropriate words are words that illicit and said rating is indicative of the extent to which each inappropriate word in said blacklist database is illicit; said appropriateness rating being indicative of the extent to which said text is illicit; *and* said overall appropriateness rating being indicative of the extent to which each individual piece of digital content is illicit. However,

Duffy teaches wherein said inappropriate words are words that illicit and said rating is indicative of the extent to which each inappropriate word in said blacklist database is illicit *(Figure 2, column 3, line 50 – column 4, line 3)*; said appropriateness rating being indicative of the extent to which said text is illicit *(Figure 2, column 3, line 50 – column 4, line 3)*; *and* said overall appropriateness rating being indicative of the extent to which each individual piece of digital content is illicit *(Figure 2, column 3, line 50 – column 4, line 3; column 6, lines 44-58)*. Thus, it would have been obvious to a person of ordinary skill in the art at the time of the invention to combine system and method for computer based rating of information retrieved from a computer network teaching of Duffy with

dynamic customer profile management teaching of Guheen to provide method and system wherein information retrieving from a computer network includes rating information.

As to **Claim 2**, *Guheen teaches* a method of monitoring the appropriateness of digital content received at a monitored computer under the control of a monitored user, comprising:

(a) providing a client application which is formed from data processing executable instructions, which is resident on said monitored computer *(REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen)*;

(b) providing in said client application a blacklist database of inappropriate words which associates a rating for each inappropriate word in said blacklist database *(REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen)*;

(c) providing in said client application a search module formed of data processing executable instructions which receives text as an input, and which compares said text to said blacklist database in order to generate an appropriateness rating for said text *(REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen)*;

(d) providing in said client application a capture module formed of data processing executable instructions which capture all network traffic at a TDI

Layer *(column 116, lines 5-8, wherein the middleware layer provides the basic functions for applications in a heterogeneous environment to interface with operating systems, networks, and communication protocols, wherein TDI is defined to be a transport driver interface that is defined to be software interface between the protocols and application programming language, which is equivalent to a "middleware layer", wherein a middleware layer is defined to software that connects two otherwise separate applications, Guheen)*; and

(e) utilizing said capture module to capture in real time said digital content of said network traffic at said TDI layer as said monitored user accesses said digital content *(column 116, wherein the usability labs which can be stationary or portable rely on videotape and screen captures methods to record how user interact with prototype systems, also see above as it relates to the "Transport Driver Interface" (TDI), and column 160, lines 2-10, wherein examples of managing hardware include management servers, management controllers, management consoles, probes, and sniffers and one significant component in the hardware monitoring arena is firewall access control policy management, wherein firewalls are regularly used for network based security management, it is typically a system or group of systems that enforce access control between two or more networks and/or perform network data packet filtering. Usually packet filtering router hardware and application gateways are used to*

block unauthorized IP packets and enforce proxy defined user commands, which is equivalent to TDI layer, Guheen);

(f) automatically passing said digital content from said capture module to said search module in real time as said monitored user accesses said digital content *(REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen);*

(g) utilizing said search module and said blacklist database in order to examine all textual components of said digital content on a word-by-word basis and to develop an overall appropriateness rating for each individual piece of digital content in real time as said monitored user accesses said digital content; and *(REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen);*

(h) utilizing said client application for recording and reporting said overall appropriateness rating in a predetermined manner *(REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen);* and

(i) wherein recording said overall appropriateness rating comprises storing said overall appropriateness rating in memory on the monitored computer *(REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen).*

Guheen does not explicitly teach wherein said inappropriate words are words that illicit and said rating is indicative of the extent to which each inappropriate word in said blacklist database is illicit; said appropriateness rating being indicative of the extent to which said text is illicit; and said overall

appropriateness rating being indicative of the extent to which each individual

piece of digital content is illicit. However,

Duffy teaches wherein said inappropriate words are words that illicit and

said rating is indicative of the extent to which each inappropriate word in said

blacklist database is illicit (Figure 2, column 3, line 50 – column 4, line 3); said

appropriateness rating being indicative of the extent to which said text is illicit

(Figure 2, column 3, line 50 – column 4, line 3); and said overall appropriateness

rating being indicative of the extent to which each individual piece of digital

content is illicit (Figure 2, column 3, line 50 – column 4, line 3; column 6, lines 44-

58). Thus, it would have been obvious to a person of ordinary skill in the art at

the time of the invention to combine system and method for computer based

rating of information retrieved from a computer network teaching of Duffy with

dynamic customer profile management teaching of Guheen to provide method

and system wherein information retrieving from a computer network includes

rating information.

As to **Claim 3**, Guheen teaches a method of monitoring the

appropriateness of Internet content received at a monitored computer under the

control of a monitored user, comprising:

(a) providing a client application which is formed from data processing

executable instructions, which is resident on said monitored computer

(REFER to claim 1, wherein this limitation has already been addressed, Guheen);

(b) providing in said client application a blacklist database of inappropriate words which associates a rating for each inappropriate word in said blacklist database *(REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen)*;

(c) providing in said client application a search module formed of data processing executable instructions which receives text as an input, and which compares said text to said blacklist database in order to generate an appropriateness rating for said text *(REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen)*;

(d) providing in said client application a capture module formed of data processing executable instructions which captures all internet content *(column 148, lines 29-35, wherein maintains a security log and user profile of what was accessed when, from a computer resource, facility and data view point, and wherein security administration ability to monitor the activity of a user of resource; (column 163, lines 24-45, wherein monitoring central and distributed sites, wherein the operation is employed in the generation of an internet architecture, and so forth, which is interpreted to be equivalent to "utilizing said client application an internet address for content requested by each of said plurality of monitored computers in real time as said monitored*

user accesses said digital content"; and Figure 66, wherein web pages are illustrated);

(e) utilizing said capture module to capture all text monitored from internet pages user as said monitored user accesses said internet pages *(Figures 66, wherein web pages are illustrated and column 206, lines 53-67, Guheen)*;

(f) automatically passing captured text from said capture module to said search module *(REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen)*;

(g) utilizing said search module and said blacklist database in order to examine all textual components of said digital content on a word-by-word basis and to develop an overall appropriateness rating for each individual internet page *(REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen)*; and

(h) utilizing said client application for recording and reporting said overall appropriateness rating for each inappropriate internet page in a predetermined manner *(REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen)*; and

(i) wherein recording said overall appropriateness rating comprises storing said overall appropriateness rating in memory on the monitored computer *(REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen)*.

Guheen does not explicitly teach wherein said inappropriate words are words that illicit and said rating is indicative of the extent to which each

inappropriate word in said blacklist database is illicit; said appropriateness rating being indicative of the extent to which said text is illicit; and said overall appropriateness rating being indicative of the extent to which each individual internet page is illicit. However,

Duffy teaches wherein said inappropriate words are words that illicit and said rating is indicative of the extent to which each inappropriate word in said blacklist database is illicit *(Figure 2, column 3, line 50 – column 4, line 3)*; said appropriateness rating being indicative of the extent to which said text is illicit *(Figure 2, column 3, line 50 – column 4, line 3)*; and said overall appropriateness rating being indicative of the extent to which each individual internet page is illicit *(Figure 2, column 3, line 50 – column 4, line 3; column 6, lines 44-58)*. Thus, it would have been obvious to a person of ordinary skill in the art at the time of the invention to combine system and method for computer based rating of information retrieved from a computer network teaching of Duffy with dynamic customer profile management teaching of Guheen to provide method and system wherein information retrieving from a computer network includes rating information.

As to **Claim 4**, Guheen teaches a method of monitoring the appropriateness of digital content received at a monitored computer under the control of a monitored user, comprising:

(a) providing a client application which is formed from data processing executable instructions, which is resident on said monitored computer *(REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen)*;

(b) providing in said client application a blacklist database of (i) inappropriate single words and (ii) inappropriate phrases composed of a multiple number of words located proximate to one another *(REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen)*;

(c) wherein said blacklist database associates a rating for each inappropriate single word and each inappropriate phrase in said blacklist database *(REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen)*;

(d) providing in said client application a search module formed of data processing executable instructions which receives text as an input, and which compares said text to said blacklist database in order to generate an appropriateness rating for said text *(REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen)*;

(e) wherein said search module includes at least one routine for recognizing and rating inappropriate phrases *(REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen)*;

(f) providing in said client application a capture module formed of data processing executable instructions, which captures network traffic *(Figure 48, all features, Guheen)*;

(g) utilizing said capture module to capture said digital content of said network traffic *(REFER to claim 2, wherein this claim is rejected on similar grounds, Guheen)*;

(h) automatically passing said digital content from said capture module to said search module *(REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen)*;

(i) utilizing said search module and said blacklist database in order to examine all textual components of said digital content on a word-by-word basis and to develop an overall appropriateness rating for each individual piece of digital content *(REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen)*; and

(j) utilizing said client application for recording and reporting said overall appropriateness rating in a predetermined manner *(REFER to claim 1, wherein this limitation has already been addressed, Guheen)*; and

(k) wherein recording said overall appropriateness rating comprises storing said overall appropriateness rating in memory on the monitored computer *(REFER to claim 1, wherein this limitation has already been addressed, Guheen)*.

Guheen does not explicitly teach wherein said inappropriate single words are single words that are illicit and said inappropriate phrases are phrases that are illicit; said rating being indicative of the extent to which each word or phrase is illicit; said appropriateness rating being indicative of the extent to which said

text is illicit; and said overall appropriateness rating being indicative of the extent

to which each individual piece of digital content is illicit. However,

Duffy teaches wherein said inappropriate single words are single words

that are illicit and said inappropriate phrases are phrases that are illicit *(Figure 2,*

column 3, line 50 – column 4, line 3); said rating being indicative of the extent to

which each word or phrase is illicit *(Figure 2, column 3, line 50 – column 4, line*

3); said appropriateness rating being indicative of the extent to which said text is

illicit *(Figure 2, column 3, line 50 – column 4, line 3);* and said overall

appropriateness rating being indicative of the extent to which each individual

piece of digital content is illicit *(Figure 2, column 3, line 50 – column 4, line 3;*

column 6, lines 44-58). Thus, it would have been obvious to a person of ordinary

skill in the art at the time of the invention to combine system and method for

computer based rating of information retrieved from a computer network teaching

of Duffy with dynamic customer profile management teaching of Guheen to

provide method and system wherein information retrieving from a computer

network includes rating information.

As to **Claim 5**, *Guheen teaches* a method of monitoring the

appropriateness of digital content received at a plurality of monitored computers

each under the control of a monitored user, comprising:

(a) providing a client application which is formed from data processing

executable instructions, which is resident on each of said monitored

computers *(REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen)*;

(b) providing in said client application a blacklist database of inappropriate words which associates a rating for each inappropriate word in said blacklist database *(REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen)*;

(c) providing in said client application a search module formed of data processing executable instructions which receives text as an input, and which compares said text to said blacklist database in order to generate an appropriateness rating for said text *(REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen)*;

(d) providing in said client application a capture module formed of data processing executable instructions which captures at least all incoming text *(REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen)*;

(e) providing a server application which is formed from data processing executable instructions and which is resident on a server which is remotely located from said monitored computers *(column 21, wherein the third bullet is defined, and remote monitoring of library activity and status, Guheen)*;

(f) providing at least one communication application in said client application *(column 92, lines 35-42, Guheen)*;

(g) providing at least one communication application in said server application *(column 92, lines 35-42, Guheen)*;

(h) for said plurality of monitored computers, utilizing said capture module to capture in real time said all incoming text as said monitored user accesses said digital content *(REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen)*;

(i) for said plurality of monitored computers, automatically passing said digital content from said capture module to said search module in real lime as said monitored user accesses said digital content *(REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen)*;

(j) for said plurality of monitored computers, utilizing said search module and said blacklist database in order to examine all textual components of said digital content on word-by-word basis and to develop an overall appropriateness rating for each individual piece of digital content in real time as said monitored user accesses said digital content *(REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen)*; and

(k) utilizing said client application for recording and reporting said overall appropriateness rating in a predetermined manner *(REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen)*; and

(l) wherein recording said overall appropriateness rating comprises storing said overall appropriateness rating in memory on one of the plurality of monitored

computers *(REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen).*

Guheen does not explicitly teach wherein said inappropriate words are words that are illicit and said rating is indicative of the extent to which each inappropriate word in said blacklist database is illicit; said appropriateness rating being indicative of the extent to which said text is illicit; and said overall appropriateness rating being indicative of the extent to which each individual piece of digital content is illicit. However,

Duffy teaches wherein said inappropriate words are words that illicit and said rating is indicative of the extent to which each inappropriate word in said blacklist database is illicit *(Figure 2, column 3, line 50 – column 4, line 3);* said appropriateness rating being indicative of the extent to which said text is illicit *(Figure 2, column 3, line 50 – column 4, line 3); and* said overall appropriateness rating being indicative of the extent to which each individual piece of digital content is illicit *(Figure 2, column 3, line 50 – column 4, line 3; column 6, lines 44-58).* Thus, it would have been obvious to a person of ordinary skill in the art at the time of the invention to combine system and method for computer based rating of information retrieved from a computer network teaching of Duffy with dynamic customer profile management teaching of Guheen to provide method and system wherein information retrieving from a computer network includes rating information.

As to **Claim 6**, *Guheen teaches* a method of monitoring the appropriateness of digital content received at a plurality of monitored computers each under the control of a monitored user, comprising:

(a) providing a client application which is formed from data processing executable instructions, which is resident on each of said monitored computers *(REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen)*;

(b) providing in said client application a content rating module which runs on said client application which is capable of generating an appropriateness rating for digital content received by each monitored computer *(REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen)*;

(c) providing a server application which is formed from data processing executable instructions and which is resident on a server which is remotely located from said monitored computers *(REFER to claim 5, wherein this claim is rejected on similar grounds, Guheen)*;

(d) providing at least one communication application in said client application *(REFER to claim 5, wherein this claim is rejected on similar grounds, Guheen)*;

(e) providing at least one communication application in said server application *(REFER to claim 5, wherein this claim is rejected on similar grounds, Guheen)*;

(f) for said plurality of monitored computers, utilizing said client application to capture an internet address for content requested by each of said plurality of monitored computers in real time as said monitored user accesses said digital content *(REFER to claim 5, wherein this claim is rejected on similar grounds, Guheen)*;

(g) for said plurality of monitored computers, automatically utilizing said at least one communication application to communicate said internet address to server said as said monitored user accesses said digital content *(column 148, lines 29-35, wherein maintains a security log and user profile of what was accessed when, from a computer resource, facility and data view point, and wherein security administration ability to monitor the activity of a user of resource; column 163, lines 24-45, wherein monitoring central and distributed sites, wherein the operation is employed in the generation of an internet architecture, and so forth, which is interpreted to be equivalent to "utilizing said client application an internet address for content requested by each of said plurality of monitored computers in real time as said monitored user accesses said digital content"; and Figure 66, wherein web pages are illustrated)*;

(h) utilizing said communication application of said server to receive said internet address *(column 182, lines 38-53, Guheen)*;

(i) utilizing said server application to determine whether or not content associated with said internet address has been rated previously *(column 208, lines 23-29, Guheen)*;

(j) if it is determined that said content associated with said internet address has been rated previously, communicating an associated rating to said client application *(column 208, lines 54-67, Guheen)*;

(k) if it is determined that said content associated with said internet address has not been rated previously, communicating this information to said client application *(Figure 86, diagram 2606 Guheen)*;

(l) for said plurality of monitored computers, utilizing said content rating module of said client application to develop an overall appropriateness rating for each individual piece of digital content, which has not been rated previously, in real time as said monitored user accesses said digital content *(REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen)*; and

(m) utilizing said client application for recording and reporting said overall appropriateness rating to said server application in a predetermined manner *(REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen)*;

(n) utilizing said server application to aggregate data to form a master content database with aggregated content ratings for a large number of internet sites *(Figure 23C, all features, Guheen)*; and

(o) wherein recording said overall appropriateness rating comprises storing said overall appropriateness rating in memory on one of the plurality of monitored computers *(REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen)*.

Guheen does not explicitly teach said appropriateness rating being indicative of the extent to which said digital content is illicit; based on the extent to which the content is illicit; and said overall appropriateness rating being indicative of the extent to which each individual piece of digital content is illicit. However,

Duffy teaches said appropriateness rating being indicative of the extent to which said digital content is illicit *(Figure 2, column 3, line 50 – column 4, line 3);* based on the extent to which the content is illicit *(Figure 2, column 3, line 50 – column 4, line 3); and* said overall appropriateness rating being indicative of the extent to which each individual piece of digital content is illicit *(Figure 2, column 3, line 50 – column 4, line 3; column 6, lines 44-58).* Thus, it would have been obvious to a person of ordinary skill in the art at the time of the invention to combine system and method for computer based rating of information retrieved from a computer network teaching of Duffy with dynamic customer profile management teaching of Guheen to provide method and system wherein information retrieving from a computer network includes rating information.

As to **Claim 9**, *Guheen teaches* a method of monitoring the appropriateness of digital content received at a plurality of monitored computers over a computer network each under the control of a monitored user, comprising:

(a) providing a client application which is formed from data processing executable instructions, which is resident on each of said monitored computers *(REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen)*;

(b) providing in said client application modules for performing integrated intrusion protection *(REFER to claim 7, wherein this claim is rejected on similar grounds, Guheen)*;

(c) providing a sewer application which is formed from data processing executable instructions and which is resident on a server which is remotely located from said monitored computers *(REFER to claim 5, wherein this claim is rejected on similar grounds, Guheen)*;

(d) providing a cluster of servers *(column 92, lines 44-48, wherein workstation servers, Guheen)*;

(e) providing at least one communication application in said client application *(REFER to claim 5, wherein this claim is rejected on similar grounds, Guheen)*;

(f) providing at least one communication application in said server application (REFER to claim 5, wherein this claim is rejected on similar grounds, Guheen);

(g) for said plurality of monitored computers, utilizing said client application to capture in real time all requests for data as said monitored user accesses digital content *(Column 187, lines 8-35, wherein distributing and viewing information known as the World-Wide Web has recently become very popular on the global Internet and the World-Wide Web is a collection of servers connected to the Internet that provide multi-media information to users that request the information and the users access the information using client programs called "browsers" to display the multi-media information, and so forth, which is interpreted to be equivalent to "utilizing said client application to capture in real time request for data as said monitored users accesses digital content")*;

(h) for said plurality of monitored computers, utilizing said at least one communication application of said client application to automatically pass information from said client application to said server application in real time as said monitored user accesses said digital content *(REFER to claim 5, wherein this claim is rejected on similar grounds, Guheen)*;

(i) utilizing said server application to determine automatically which particular one of said cluster of servers is best able to respond to a request for service *(column 14, lines 64-67 and column 155, lines 18-19, Guheen)*; and

(j) allocating the request for service to the particular one of said cluster of servers that is best able to respond *(column 92, lines 44-48, wherein a plurality of servers is equivalent to cluster of servers, Guheen)*.

Guheen does not explicitly teach wherein the appropriateness is a measure of the extent to which digital content is illicit. However, *Duffy teaches* wherein the appropriateness is a measure of the extent to which digital content is illicit *(column 6, lines 44-58).* Thus, it would have been obvious to a person of ordinary skill in the art at the time of the invention to combine system and method for computer based rating of information retrieved from a computer network teaching of Duffy with dynamic customer profile management teaching of Guheen to provide method and system wherein information retrieving from a computer network includes rating information.

Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,519,571 issued to Guheen et al. ("Guheen"), further in view of US Patent No. 5,911,043 issued to Duffy et al. ("Duffy"), and further in view of US Patent 6,321,267 issued to Albert L. Donaldson ("Donaldson").

As to **Claim 7**, *Guheen teaches* a method of monitoring the appropriateness of digital content received at a plurality of monitored computers over a computer network, each under the control of a monitored user, comprising:

(a) providing a client application which is formed from data processing executable instructions, which is resident on each of said monitored computers *(REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen)*;

(b) providing in said client application modules for performing the following

Internet protection functions:

(1) content rating and content filtering *(see paragraph 2641, wherein optional*

features could include filtering of incoming messages and blocking junk mail,

as well as providing backup and restore capabilities for stored email,

Guheen);

(2) firewall functions including intrusion detection *(Figure 48, wherein firewall*

is defined, Guheen);

(3) popup control *(Figure 48, wherein firewall is defined, wherein it*

inheritance that a firewall software package can include a pop-up blocker,

such as Norton, Guheen);   \

(4) anti-virus functions *(Figure 48, wherein firewall is defined, wherein it*

inheritance that a firewall software package can include the anti-virus

software, such as Norton, Guheen);

(5) instant message filtering *(column 208, lines 32-51, Guheen)*;

(6) spare filtering *(column 73, lines 47-48, Guheen)*; and

(7) accountability reporting *(column 73, line 17, Guheen)*;

(c) providing a server application which is formed from data processing

executable instructions and which is resident on a server which is remotely

located from said monitored computers *(REFER to claim 5, wherein this claim*

is rejected on similar grounds, Guheen);

(d) providing at least one communication application in said client application *(REFER to claim 5, wherein this claim is rejected on similar grounds, Guheen)*;

(e) providing at least: one communication application in said server application *(REFER to claim 5, wherein this claim is rejected on similar grounds, Guheen)*;

(f) for said plurality of monitored computers, utilizing said client application to capture in real time all requests for data as said monitored user accesses digital content *(column 187, lines 8-35, wherein distributing and viewing information known as the World-Wide Web has recently become very popular on the global Internet and the World-Wide Web is a collection of servers connected to the Internet that provide multi-media information to users that request the information and the users access the information using client programs called "browsers" to display the multi-media information, and so forth! which is interpreted to be equivalent to "utilizing said client application to capture in real time request for data as said monitored users accesses digital content")*;

(g) for said plurality of monitored computers, utilizing said at least one communication application of said client application to automatically pass information from said client application to said server in real time as said monitored user accesses said digital content *(REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen)*;

(h) for said plurality of monitored computers, utilizing said modules for intrusion

protection functions in order to generate an approval or disapproval indication

for each individual piece of digital content in real time as said monitored user

accesses said digital content said approval or disapproval indication being

determined at least in part by the extent to which each piece of digital content

is illicit *(column 219, lines 59-67, Guheen)*;

Guheen does not explicitly teach said approval or disapproval indication

being determined at least in part by the extent to which each piece of digital

content is illicit; and j) wherein said content rating and content filtering functions

rate and filter based on the extent to which content is illicit.   However, *Duffy*

teaches said approval or disapproval indication being determined at least in part

by the extent to which each piece of digital content is illicit *(Figure 2, column 3,*

line 50 – column 4, line 3); and j) wherein said content rating and content filtering

functions rate and filter based on the extent to which content is illicit *(Figure 2,*

column 3, line 50 – column 4, line 3; column 6, lines 44-58). Thus, it would have

been obvious to a person of ordinary skill in the art at the time of the invention to

combine system and method for computer based rating of information retrieved

from a computer network teaching of Duffy with dynamic customer profile

management teaching of Guheen to provide method and system wherein

information retrieving from a computer network includes rating information.

Guheen in combination with Duffy does not explicitly teach i) utilizing said

client application to block network communication for digital content with the

disapproval indication and to permit network communication for digital content with the approval indication. However, *Donaldson teaches* utilizing said client application to block network communication for digital content with the disapproval indication and to permit network communication for digital content with the approval indication *(column 11, lines 21-23)*. Thus, it would have been obvious to a person of ordinary skill in the art at the time of the invention to combine method and apparatus for filtering message teaching of Donaldson with system and method for computer based rating of information retrieved from a computer network teaching of Duffy and dynamic customer profile management teaching of Guheen to provide method and system wherein information filtering is used to block inappropriate data in computer system.

As to **Claim 8,** *Guheen teaches* a method of monitoring the appropriateness of digital content received at a plurality of monitored computers over a computer network, each under the control of a monitored user, comprising:

(a) providing a client application which is formed from data processing executable instructions, which is resident on each of said monitored computers *(REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen)*;

(b) providing in said client content filtering for performing content rating and content filtering *(REFER to claim 7, wherein this. claim is rejected on similar grounds, Guheen);*

(c) providing a server application which is formed from data processing executable instructions and which is resident on a server which is remotely located from said monitored computers *(REFER to claim 5, wherein this claim is rejected on similar grounds, Guheen);*

(d) providing at least one communication application in said client application *(REFER to claim 5, wherein this claim is rejected on similar grounds, Guheen);*

(e) providing at least one communication application in said server application *(REFER to claim 5, wherein this claim is rejected on similar grounds, Guheen);*

(f) for said plurality of monitored computers, utilizing said client application to capture in real time all requests for data as said monitored user accesses digital content *(column 187, lines 8-35, wherein distributing and viewing information known as the World-Wide Web has recently become very popular on the global Internet and the World-Wide Web is a collection of servers connected to the Internet that provide multi-media information to users that request the information and the users access the information using client programs called "browsers" to display the multi-media information, and so forth, which is interpreted to be equivalent to "utilizing said client application*

to capture in real time request for data as said monitored users accesses digital content");

(g) for said plurality of monitored computers, utilizing said at least one communication application of said client application to automatically pass information from said client application to said server in real time as said monitored user accesses said digital content *(REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen)*;

(h) for said plurality of monitored computers, utilizing said client application and said server in combination in order to generate an approval or disapproval indication for each individual piece of digital content in real time as said monitored user accesses said digital content *(REFER to claim 7, wherein this claim is rejected on similar grounds, Guheen)*.

Guheen does not explicitly teach wherein said modules for performing content rating and content filtering operate based on the extent to which content is illicit; said approval or disapproval indication being determined at least in part by the extent to which each piece of digital content is illicit. However, *Duffy teaches* wherein said modules for performing content rating and content filtering operate based on the extent to which content is illicit *(Figure 2, column 3, line 50 – column 4, line 3)*; and said approval or disapproval indication being determined at least in part by the extent to which each piece of digital content is illicit *(Figure 2, column 3, line 50 – column 4, line 3; column 6, lines 44-58)*. Thus, it would have been obvious to a person of ordinary skill in the art at the time of the

invention to combine system and method for computer based rating of information retrieved from a computer network teaching of Duffy with dynamic customer profile management teaching of Guheen to provide method and system wherein information retrieving from a computer network includes rating information.

Guheen in combination with Duffy does not explicitly teach i) utilizing said client application to block communication for digital content with the disapproval indication and to permit communication for digital content with the approval indication. However, *Donaldson teaches* i) utilizing said client application to block communication for digital content with the disapproval indication and to permit communication for digital content with the approval indication *(column 11, lines 21-23)*. Thus, it would have been obvious to a person of ordinary skill in the art at the time of the invention to combine method and apparatus for filtering message teaching of Donaldson with system and method for computer based rating of information retrieved from a computer network teaching of Duffy and dynamic customer profile management teaching of Guheen to provide method and system wherein information filtering is used to block inappropriate data in computer system.

Citation of Pertinent Prior Art

7.   The prior art made of record and not relied upon in form PTO-892 is considered pertinent to applicant's disclosure.

Response to Arguments

8. Applicant's arguments with respect to claims 1-9 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh-Ha Dang whose telephone number is 571-272-4033. The examiner can normally be reached on Monday-Friday from 9:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on 571-272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Thanh-Ha Dang
Examiner
Art Unit 2163

WILSON LEE
PRIMARY EXAMINER